IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 4957 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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AK MAKWANA - Petitioner(s)
Versus
STATE OF GUJARAT & 16 - Respondent(s)

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Appearance :
MR GAURANG H BHATT for Petitioner(s) : 1,
Ms. Maithily Mehta, Asst.GOVERNMENT PLEADER for Respondent(s): 1 - 2.
NOTICE SERVED for Respondent(s) : 3 - 17.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 22/02/2007

ORAL JUDGMENT

By way of this petition under Article 226 of the Constitution of India the petitioner has challenged the order of reversion. It appears from the record that during pendency of the

present Special Civil Application the petitioner was protected and there is an interim order by which the petitioner is not reverted. Mrs. Maithily Mehta, learned AGP under instructions from one Shri PH Parmar, Deputy Mamlatdar, Sabarkantha, has submitted that in nearby future the petitioner is not required to be reverted. Under the circumstances and in view of the above statement the present Special Civil Application is disposed of as at present the cause does not survive. However, it is observed that in future if on any occasion and/or eventuality the petitioner is to be reverted, the same shall be done with prior intimation of 10 days of actual reversion to the petitioner so that if at all the petitioner wants to challenge the same the same can be challenged before appropriate forum. With these, the present Special Civil Application is disposed of. Rule is made absolute to the above extent. No costs.

[M.R. Shah, J.]

Rmr.